

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRENDA L. ERDMAN,	:	CIVIL ACTION NO. 1:05-CV-0944
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
NATIONWIDE INSURANCE COMPANY,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 25th day of October, 2005, upon consideration of the order of court dated October 3, 2005 (Doc. 3), directing plaintiff to show cause why the above-captioned action should not be dismissed for failure to effect service of the complaint and summons, see FED. R. CIV. P. 4(m) ("If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action . . . [or] extend the time for service for an appropriate period."), and it appearing that plaintiff, proceeding in this case *pro se*, did not understand the procedure for effecting service of process, see FED. R. CIV. P. 6(b) ("[When] an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion . . . order the period enlarged."); Dominic v. Hess Oil V.I. Corp., 841 F.2d 513, 517 (3d Cir. 1988) ("Excusable neglect . . . require[s] a demonstration of good faith on the part of the

party seeking an enlargement and some reasonable basis for noncompliance within the time specified in the rules.”), it is hereby ORDERED that:

1. Plaintiff shall effect service of the complaint on defendant in accordance with Federal Rule of Civil Procedure 4 and file proof thereof within twenty (20) days of the date of this order. In the alternative, within twenty (20) days of the date of this order plaintiff may request that the court direct the United States Marshall to effect service of the complaint, with plaintiff bearing the cost of such service. See FED. R. CIV. P. 4(c)(2).
2. Failure to comply with this order will result in dismissal of this case. See FED. R. CIV. P. 4(m).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge